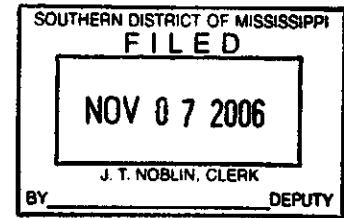


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION



BURLINGTON INSURANCE CO.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:05cv225DCB-JMR

GIBBS

DEFENDANT

ORDER OF DISMISSAL

The parties having agreed to and announced to the Court a settlement of this case, and the Court being desirous that this matter be finally closed on its docket,

IT IS, THEREFORE, ORDERED that this case is hereby dismissed with prejudice as to all parties. If any party fails to consummate this settlement within (30) days , any aggrieved party may reopen the case for enforcement of the settlement agreement within ten days, and if successful , all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to consummate the agreement, The Court specifically retains jurisdiction to enforce the settlement agreement.

SO ORDERED, this the 6th day of November , 2006.


UNITED STATES MAGISTRATE JUDGE